

MAR 26 2003

PATENT
Attorney Docket No. BMA-005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**APPLICANT(S): Laugharn *et al.*

SERIAL NO.: 09/830,473 GROUP NO.: 1723

FILING DATE: April 27, 2001 EXAMINER: Soohoo

TITLE: Apparatus and Method for Controlling Sonic Treatment

Commissioner for Patents
Washington, D.C. 20231**AMENDMENT AND RESPONSE
TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT**

Sir:

This paper is responsive to the Office action mailed from the U.S. Patent and Trademark Office on September 26, 2002. A petition and appropriate fee for a five-month extension of time, up to and including Wednesday, March 26, 2003, are submitted herewith.

/ AMENDMENT

Please cancel claims 3, 8-16, 19-22, 31, 34, 36-38, and 40-42 without prejudice to Applicants' right to pursue their subject matter in this application or in a related application.

Please amend claims 28-30, 32, 33, and 39 to read as follows.

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28. (Amended) The method of claim 27 comprising the steps of sensing at least one condition to which the sample is subjected during processing and altering at least one of the sonic energy and the location of the sample in response to the at least one condition.
29. (Amended) The method of claim 28 wherein during the sensing step, the at least one condition is a mechanical occurrence.
30. (Amended) The method of claim 28 wherein during the altering step, intensity of the sonic energy is altered.